

DOCKET FILE COPY ORIGINAL
HOGAN & HARTSON
L.L.P.

RECEIVED
JUL 12 2001
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

DAVID L. SIERADZKI
PARTNER
(202) 637-6462
DLSIERADZKI@HHLAW.COM

COLUMBIA SQUARE
555 THIRTEENTH STREET, NW
WASHINGTON, DC 20004-1109
TEL (202) 637-5600
FAX (202) 637-5910
WWW.HHLAW.COM

July 12, 2001

Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth St., S.W.
Washington, D.C. 20554

Re: CC Docket No. 96-61

Dear Ms. Salas:

On behalf of the American Samoa Telecommunications Authority, I am enclosing a letter from the undersigned to Ron Connors, Director, North American Numbering Plan Administration, for the record in the proceeding referred to above.

Respectfully submitted,



David L. Sieradzki
Counsel for the American Samoa
Telecommunications Authority

Enclosures

cc: Dorothy Attwood
Yog Varma
Diane Griffith Harmon
Cheryl Callahan

No. of Copies rec'd C12
List A B C D E

HOGAN & HARTSON
L.L.P.

RECEIVED

JUL 12 2001

**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

**COLUMBIA SQUARE
555 THIRTEENTH STREET, NW
WASHINGTON, DC 20004-1109**

TEL (202) 637-5600

FAX (202) 637-5910

WWW.HHLAW.COM

**DAVID L. SIERADZKI
PARTNER
(202) 637-6462
DLSIERADZKI@HHLAW.COM**

July 12, 2001

**Mr. Ron Conners
Director, North American Numbering Plan Administration
Neustar, Inc.
1120 Vermont Ave., N.W.
Suite 400
Washington, D.C. 20005**

**Re: Request of the U.S. Territory of American Samoa to
Participate in the North American Numbering Plan and
for Assignment of NPA Code 684;
CC Docket No. 96-61**

Dear Mr. Conners:

On behalf of the American Samoa Telecommunications Authority ("ASTCA"), I am writing to follow up on the March 23, 2001 letter from Tauese P.F. Sunia, Governor of the U.S. Territory of American Samoa (a copy is enclosed for your convenience). I write to express our continued hope that the North American Numbering Plan Administration ("NANPA") will expeditiously grant American Samoa's pending request to participate in the North American Numbering Plan ("NANP"), like other U.S. states and territories.

Specifically, American Samoa has requested exclusive assignment of Numbering Plan Area ("NPA") code 684, which corresponds to the international country code now in use there. Following up on a discussion of American Samoa's request during a recent meeting of the Industry Numbering Committee ("INC"), you asked me to provide a written statement explaining why American Samoa is unwilling and unable to share an NPA code with another U.S. Pacific Island territory, such as Guam or the Commonwealth of Northern Mariana Islands ("CNMI"). This letter responds to your request.

Mr. Ron Conners

July 12, 2001

Page 2

ASTCA and the American Samoa Government feel very strongly that American Samoa's participation in the NANP is feasible, and should be implemented, *only* if NPA code 684 is assigned exclusively to American Samoa. Such exclusive assignment will serve the public interest in a number of important ways:

- **Adopt a technically feasible solution.** It would not be technically feasible for American Samoa to share the NPA code of either Guam or CNMI. American Samoa is nowhere near Guam or CNMI – American Samoa is in the Southern Hemisphere, while Guam and CNMI are in the Northern Hemisphere. There is no direct cable link between American Samoa and either of these territories: American Samoa utilizes an Intelsat satellite link for connections to all other U.S. points. It would be extremely difficult, if not impossible, for switches located throughout the NANP to properly route and accurately deliver telephone calls, using a single NPA code, to locations both in American Samoa and in another territory thousands of miles away. Moreover, metering calls utilizing a single NPA would be a logistical nightmare, given that American Samoa is east of the International Date Line, while Guam and CNMI are both west of the International Date Line (*i.e.*, when it is Sunday in American Samoa, it is Monday in Guam and CNMI). Instead, exclusive designation of NPA 684 to American Samoa will allow the continued seamless use of its existing network and the accurate delivery and proper completion of calls.
- **Minimize difficulties associated with an NPA transition.** Exclusive use of NPA 684 would greatly simplify the transition process for residents and businesses in American Samoa, and for their relatives, customers, and other contacts who call them. This NPA code matches American Samoa's current international country code. Thus, communication of this change would be streamlined and made easier for calling as well as called parties. Further, these parties would rest assured knowing that NPA 684 will be used only for American Samoa, necessarily minimizing the possibility of costly mis-dials.
- **Equitable treatment of similarly-situated American territories.** The U.S. territories of Guam and the CNMI entered the NANP within the past five years with exclusive assignment of the NPA codes of 671 and 670

Mr. Ron Conners

July 12, 2001

Page 3

respectively, which correspond the respective international calling codes previously used by these territories. American Samoa is similarly situated, and its request should not be treated any differently. Nor should NANPA, at this late stage, ask either of those territories to relinquish its exclusive use of an NPA code.

Finally, I wish to make clear that American Samoa is not willing to relinquish its valuable 684 international country code and enter the NANP unless it receives exclusive assignment of the 684 NPA code. For considerations of simple fairness, ease of technical implementation, and sensible public policy, the NANPA should expeditiously proceed to assign the 684 NPA exclusively to American Samoa. In the meantime, I hope and expect that NANPA will neither assign or reserve NPA 684 to any other location nor take any other action regarding NPA 684 while American Samoa's request is pending.

I appreciate your consideration and look forward to hearing from you. Please contact me if you have any further questions.

Very truly yours,



David L. Sieradzki
Counsel for the American Samoa
Telecommunications Authority

Enclosure

cc: Robert Atkinson, *Chairman, North American Numbering Council*
Dorothy Attwood, *Chief, Common Carrier Bureau, FCC*
Yog Varma, *Deputy Chief, Common Carrier Bureau, FCC*
Diane Griffith Harmon, *Acting Chief, Network Services Division, CCB, FCC*
Cheryl Callahan, *Network Services Division, CCB, FCC*
Aleki Sene, *Executive Director, American Samoa Telecommunications Authority*
Fagafaga Langkilde, *Vice President, Blue Sky Communications*



TERRITORY OF AMERICAN SAMOA

OFFICE OF THE GOVERNOR
PAGO PAGO, AMERICAN SAMOA 96799



Serial: 0559

TAUESE P. F. SUNIA
Governor

TOGIOLA T. A. TULAFONO
Lieutenant Governor

March 23, 2001

Ron Conners
Director
North American Numbering Plan Administration
Neustar, Inc.
1120 Vermont Ave., N.W., Suite 400
Washington, D.C. 20005

**Re: Request of the U.S. Territory of American Samoa to Participate
in the North American Numbering Plan and for Assignment of
NPA Code 684**

Dear Mr. Conners:

I am writing to request that the U.S. territory of American Samoa be allowed to participate in the North American Numbering Plan ("NANP"), like other U.S. states and territories. To facilitate this participation, I respectfully request the assignment to American Samoa of NPA code 684, which corresponds to the international dialing code now in use.

American Samoa, with a population of approximately 58,000, has been an unincorporated territory of the United States since 1900. The American Samoa Government ("ASG"), composed of an elected governor, legislature, and other self-governing institutions, governs the territory subject to the authority of the U.S. Department of the Interior. As Governor, I function as the Telecommunications Regulatory Commissioner, with authority to regulate the local operations of telecommunications carriers.

The American Samoa Telecommunications Authority ("ASTCA"), an independently operated, quasi-governmental entity that is owned by ASG, is the oldest and largest telecommunications carrier in American Samoa, and provides local exchange, long distance, and wireless service throughout the territory.

In a July 1997 order, the FCC's Common Carrier Bureau strongly encouraged American Samoa to participate in the North American Numbering Plan, in order to facilitate carriers' implementation of rate integration requirements of Section 254(g) of the Communications Act of 1934, as amended ("Act"), and to promote competition and introduction of new services. The Bureau stated:

We note that there are several measures that could be implemented in American Samoa that likely would facilitate the ability of interexchange carriers to integrate their service offerings to American Samoa with their interstate offerings to the mainland and other offshore points. These steps include participation in the North American Numbering Plan, provision of access services to IXC's on a basis comparable to that of LEC's in other parts of the U.S. (such as by offering National Exchange Carrier Association access rates), and provision of Feature Group D service if requested by IXC's. Thus, inclusion of American Samoa in the NANP would help carriers integrate American Samoa into their nationwide service plans, billing systems, and switching mechanisms. Implementation of Feature Group D service would provide subscribers with high-quality equal access to providers of interexchange service serving American Samoa. Provision of access services by American Samoa to interexchange carriers on a basis more comparable to such services provided in other parts of the U.S. could help interexchange carriers set rates at integrated levels. Further, these measures could promote the provision of competitive services to American Samoa and stimulate introduction of new services. * * * We encourage American Samoa to submit a complete plan for taking these and any other measures that could help to integrate provision of communications services to American Samoa.

Policy and Rules Concerning the Interstate, Interexchange Marketplace; Implementation of Section 254(g) of the Communications Act of 1934, as amended, 12 FCC Rcd 11548, 11558, ¶¶ 21-22 (Com. Car. Bur. 1997).

In response to that order, ASG filed a Rate Integration Plan for American Samoa on October 1, 1997. In that plan, ASG proposed to remain outside the NANP, due to the high cost of upgrading ASTCA's switches. But ASG proposed to have ASTCA take a number of other steps that would regularize its status under the FCC's regulations, including: (1) reduce its long distance rates and achieve full rate integration of its out-bound domestic long-distance calls; (2) provide interstate access service under the tariffs of the National Exchange Carrier Association ("NECA"); (3) contribute to the federal universal service funds, and receive low-income and high-cost rural support from those funds; (4) obtain an international 214 certificate; and (5) negotiate and, if necessary, arbitrate interconnection arrangements with prospective local competitors pursuant to Sections 251 and 252 of the Act.

Ron Conners
March 23, 2001
Page 3

During the three and a half years since the plan was filed, ASTCA has taken all of the steps listed above. See, e.g., *American Samoa Government and The American Samoa Telecommunications Authority*, 14 FCC Rcd 9974 (Accounting Policy Div., Com. Car. Bur. 1999) (granting waivers to enable ASTCA to join NECA and receive universal service funds). At this point, American Samoa is in a position to participate in the NANP.

Without participation in the NANP, ASTCA cannot obtain or use Carrier Identification Codes ("CICs"), and therefore cannot fully implement equal access. As noted above, in 1997 the Common Carrier Bureau strongly encouraged American Samoa to participate in the NANP and urged ASTCA to provide equal access. Over the past few years, ASTCA has continued to upgrade its switches in an effort to provide various FCC-mandated services and to improve service to its subscribers. ASTCA's switching equipment is now capable of providing equal access. Equal access is important to facilitate competition by a new entrant in American Samoa, Blue Sky Communications, and possibly by other interexchange carriers. ASG wants to bring the benefits of long distance competition to the people of American Samoa; and pursuant to the FCC's rules, ASTCA is now required to provide equal access in response to Blue Sky's *bona fide* request. But ASTCA cannot satisfy this requirement unless American Samoa joins the NANP.

Accordingly, I respectfully request authority for the U.S. territory of American Samoa to participate in the NANP, as the Common Carrier Bureau suggested several years ago. To facilitate this, an NPA code needs to be assigned to American Samoa. It would greatly simplify the transition process for residents and businesses in American Samoa, and their relatives and other contacts who call them, if the currently unused NPA code of 684 could be assigned to American Samoa, matching American Samoa's current international "country" code. I understand that this NPA code already has been informally set aside for some years in anticipation of its possible assignment to American Samoa.

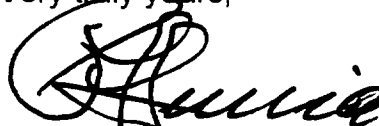
This request is fully supported by precedent. In 1997, when the U.S. territories of Guam and the Commonwealth of the Northern Mariana Islands ("CNMI") began to participate in the NANP, those territories were assigned NPA codes identical to their pre-existing international country codes. American Samoa requests the same treatment.

In sum, permitting American Samoa to participate in the NANP, and assigning the 684 NPA code to American Samoa, would provide benefits to subscribers in American Samoa and throughout the United States. These steps will: (1) facilitate ASTCA's provision of equal access and promote competitive entry; (2) enable U.S. carriers to comply fully with the geographic rate integration requirements of Section

Ron Conners
March 23, 2001
Page 4

254(g) of the Act; and (3) minimize the difficulty of the transition for American Samoa consumers and other Americans who call them by assigning an NPA code matching the current country code.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tauese", written over a circular stamp or seal.

TAUESE P.F. SUNIA
Governor

cc: Dorothy Attwood, *Chief, Common Carrier Bureau, FCC*
John R. Hoffman, *Chairman, North American Numbering Council*
Aleki Sene, *Executive Director, American Samoa Telecommunications Authority*
Fagafaga Langkilde, *Vice President, Blue Sky Communications*